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The Severans: Where are the Jurists?

Posted on [11/01/2016](#) by [John Cairns](#)

The University of Edinburgh offers an undergraduate option called “The Severans”. Indeed the Severan dynasty is a current “hot” topic among ancient historians. This is understandable. The topic covers the reign of Septimius Severus, who sought to restore stability to a chaotic Empire, that of his troubled son Caracalla, who murdered his brother Geta, and those of their successors, the colourful Elagabalus, and finally Alexander Severus, whose assassination in 235 ushered in fifty years of anarchy in the Empire.

It is this popularity that no doubt led to the commissioning by Cambridge University Press of the excellent book, *Severan Culture*, edited by Simon Swain, Stephen Harrison and Jas’ Elsner (2007), which has just achieved a paperback edition. As the “blurb” points out, the Severan era was one of considerable cultural vitality, with the consolidation of the Second Sophistic and dynamic developments in architecture, art, and literature.

The volume covers “Literature and Culture”, “Art and Architecture” and “Religion and Philosophy”. But where are the great Severan jurists: Papinian, Praetorian Prefect in 205, sometimes alleged to be related to Septimius Severus’ second wife, Paul, Praetorian Prefect under Alexander Severus, and Ulpian, also Praetorian Prefect? It is to their writings, as preserved in the Digest, that we turn to know most about Roman law. If we can accept the writings of Ulpian as excerpted as being his, we have more work of his than of any other writer in antiquity. There are indeed (nearly) two pages in Michael Trapp’s chapter “Philosophy, scholarship, and the world of learning in the Severan period” devoted to *Jurisprudentia* (pp. 481-3). He admits that his account is “derivative”; but he cites Schulz (1947); Barkowski [*sic*] (1997), articles on the jurists in the *Oxford Classical Dictionary* and Honoré’s study of Ulpian. I do not intend to criticise the author – an expert on Greek literature and culture – who had a difficult brief; but much more could have been done. So why was a specialist chapter not commissioned? An assessment of the work of the last great jurists of Rome in the context of Severan culture would have been invaluable.

In the 1820s, the French scholar Athanase Jourdain regretted that ancient historians and specialists in Roman law ignored one another. This is something that the world of scholarship is now finally overcoming. One thinks of the Edinburgh workshops on Ancient Law in Context, and of the work of scholars such as Dennis Kehoe, Jill Harries, Bruce Frier, and Thomas McGinn, to name but a few. But here is an opportunity missed – especially frustrating in such an otherwise excellent survey.

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